IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 693 of 2003

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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MOHAMMED AIJAZ MOHAMMED QURESHI - Applicant(s)
Versus
STATE OF GUJARAT - Respondent(s)

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Appearance :
MR MM TIRMIZI for Applicant(s) : 1,
PUBLIC PROSECUTOR for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 25/10/2007

ORAL JUDGMENT

In the present petition, the petitioner has prayed that the respondent be restrained from seizing muddamal (buffalo meat) of the ownership of the

petitioner while in transport.

2. The petitioner claims to be dealing in buffalo meat. On a particular incident, his consignment was intercepted by the authorities suspecting that what was being transported was cow meat and not buffalo meat. It is the case of the petitioner that the petitioner had sufficient documents to establish that he was not dealing in cow meat. It appears that on one occasion when such interception was made, proceedings have been concluded. The Trial Court had granted limited protection to the petitioner. The petitioner filed Criminal Revision Application being Criminal Revision Application No.19 of 2003 in which this Court by an order dated 19.2.2003 granted further protection.

3. In the present petition, however, prayers are made which are general in nature. No protection of the nature sought for can be granted, that too, without sufficient material on record regarding undue harassment by the authorities. It is, however, prayed by the counsel for the petitioner that the authorities should at least examine the transport permit and certificate of veterinary doctor if the transporter of the goods is carrying such documents.

4. Without suggesting that even if there is any genuine suspicion of some banned meat being

carried the authorities cannot intercept such consignment, needless to say that if the carrier has valid permit and certificate of veterinary doctor,they have to be looked into before taking further steps. Subject to the above observations, the petition is disposed of. Rule is discharged.

Direct service.

(Akil Kureshi, J.)

(vjn)